THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8301 of 2006

Dated:13.04.2007

Between:

Vemula Narayana.

… Petitioner

AND

The Gram Panchayat and another

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8301 of 2006

ORDER:

The petitioner is a resident of Peddampet Village of Ramagundam Mandal in Karimnagar District. The first respondent issued impugned notice dated 20.04.2006 directing the petitioner to stop construction of the Arch opposite to bus stand in Peddampet Village, as he did not obtain any permission. Assailing the same, the present Writ Petition is filed.

Learned Counsel for the petitioner submits that the area where the Arch is being constructed in memory of the petitioner's brother is not situated within the territorial limits of Peddampet Gram Panchayat and it is situated outside the Gram Panchayat limits. He, therefore, submits that the first respondent has no jurisdiction. **Opposing** the Writ Petition, the learned Standing Counsel for the first respondent submits that the Gram Panchayat has filed a suit, being O.S.No.195 of 2006, and also obtained injunction in I.A.No.350 of 2006 on 22.04.2006 from the Court of the Junior Civil Judge at Godavarikhani.

Therefore, the petitioner may approach the civil Court and seek necessary redressal. It is also open to the petitioner to approach the District Collector to decide whether the area where the petitioner is constructing the Arch in the memory of his brother is within the jurisdiction of Peddampet Gram Panchayat or outside its limits.

The Writ Petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

13.04.2007
vs